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## MEMORANDUM

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**TO:** DESERT DISTRICT ADVISORY COUNCIL  
**FROM:** KIM CAMPBELL ERB  
**SUBJECT:** SPECIAL RECREATION PERMIT SUBGROUP REPORT  
**DATE:** 5/7/2014  
**CC:** ANGEL LUND, CLAYTON MILLER, ROB NIEMELA, STEPHEN RAZO

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### SPECIAL RECREATION SUBGROUP REPORT

The Special Recreation Subgroup (referred to herein as “Subgroup”) last met on April 23.

At the last meeting, former Bureau of Land Management (“BLM”) geologist Robert Waiwood attended and gave a presentation regarding how group events involving visits to mining claims are addressed either under the mining law or the recreation regulations, and described some of the differences. The District Manager, Teri Raml, was out of town and not in attendance.

The Subgroup is currently grappling with identifying the conditions under which an organized group is required to apply for a Special Recreation Permit (“SRP”) for events that have no paid advertising and for which no fee is charged. While having a discussion during the last meeting regarding how to determine when rock/gem/mineral clubs would be required to have SRPs for their field trips, BLM staff indicated that they expect them to contact the BLM with pre-application data prior to every field trip, regardless of size. The subgroup is awaiting clarification regarding the following:

- Whether it is BLM policy to require all clubs to notify them in advance of all “field trips” with a pre-application for a determination whether an SRP is required or not, and
- Whether this policy applies to all organized groups or only to rock/gem/mineral collecting organization events.

There is unanimous concern among all of the Subgroup members that: 1) there is insufficient BLM staff to respond to the increased workload that this would require, and 2) such a policy would be unnecessarily intrusive and would discourage organized group events that have historically provided educational opportunities and teach responsible and respectful use of our public lands and which have previously been deemed to fall under the casual use exception.

Another matter brought to the attention of the Subgroup by one of its members is that the Barstow Poker Run, a charitable fund raiser, is now being considered to be a ‘competitive’ event rather than a ‘commercial’ event for permit purposes. Because of this, the SRP fees are several times the amount previously charged and the insurance requirements are raised significantly. Since these events are not races and the “winners” are determined by chance (luck of the draw) and not by any action of the participants, the Subgroup members unanimously share concern that the event should not fall within the “competitive event” classification and that the fees and conditions imposed are not commensurate with the risk that these events pose to the BLM. The Subgroup plans to discuss this in further detail during future meetings.